



March 28, 2003

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## ENGROSSED HOUSE BILL No. 1730

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DIGEST OF HB 1730 (Updated March 26, 2003 6:43 PM - DI 87)

**Citations Affected:** IC 2-5; IC 4-23.

**Synopsis:** Commission on Hispanic/Latino affairs. Establishes the executive commission on Hispanic/Latino affairs. Repeals the legislative commission on Hispanic/Latino affairs. Establishes a special fund for the executive commission on Hispanic/Latino affairs. (The introduced version of this bill was prepared by the legislative commission on Hispanic/Latino affairs.)

**Effective:** July 1, 2003.

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**Aguilera, Lawson L, Ayres, Goodin**  
(SENATE SPONSORS — WYSS, MRVAN)

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January 21, 2003, read first time and referred to Committee on Interstate and International Cooperation.

January 28, 2003, reported — Do Pass.

January 30, 2003, read second time, ordered engrossed. Engrossed.

February 4, 2003, returned to second reading.

February 6, 2003, reread second time, amended, ordered engrossed.

February 7, 2003, re-engrossed.

February 10, 2003, read third time, passed. Yeas 88, nays 8.

SENATE ACTION

February 11, 2003, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

March 27, 2003, amended, reported favorably — Do Pass.

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EH 1730—LS 6148/DI 96+



March 28, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1730

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A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 4-23-28 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2003]:  
4 **Chapter 28. Commission on Hispanic/Latino Affairs**  
5 **Sec. 1. As used in this chapter, "commission" refers to the**  
6 **commission on Hispanic/Latino affairs established by section 2 of**  
7 **this chapter.**  
8 **Sec. 2. The commission on Hispanic/Latino affairs is established.**  
9 **Sec. 3. (a) The commission shall do the following:**  
10 **(1) Identify and research issues affecting the Hispanic/Latino**  
11 **communities.**  
12 **(2) Promote cooperation and understanding between the**  
13 **Hispanic/Latino communities and other communities**  
14 **throughout Indiana.**  
15 **(3) Report to the legislative council and the governor**  
16 **concerning Hispanic/Latino issues, including the following:**  
17 **(A) Conditions causing exclusion of Hispanics/Latinos**

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from the larger Indiana community.

(B) Measures to stimulate job skill training and related workforce development.

(C) Measures to sustain cultural diversity while improving race and ethnic relations.

(D) Public awareness of issues affecting the Hispanic/Latino communities.

(E) Measures that could facilitate easier access to state and local government services by Hispanics/Latinos.

(F) Challenges and opportunities arising out of the growth of the Hispanic/Latino population.

(b) The commission may study other topics:

(1) as assigned by the governor;

(2) as assigned by the legislative council; or

(3) as directed by the commission's chairperson.

Sec. 4. (a) The commission consists of nineteen (19) members appointed as follows:

(1) Two (2) members of the senate who may not be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Two (2) members of the house of representatives who may not be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

(3) Four (4) members of the Hispanic/Latino community who are not members of the general assembly, to be appointed by the president pro tempore of the senate.

(4) Four (4) members of the Hispanic/Latino community who are not members of the general assembly, to be appointed by the speaker of the house of representatives.

(5) The secretary of family and social services or a designee of the secretary who is a Hispanic or Latino employee of the office of the secretary of family and social services.

(6) The commissioner of the state department of health or a designee of the commissioner who is a Hispanic or Latino employee of the state department of health.

(7) The state superintendent of public instruction or a designee of the superintendent who is a Hispanic or Latino employee of the department of education.

(8) The commissioner of the department of correction or a designee of the commissioner who is a Hispanic or Latino employee of the department of correction.

(9) The director of the civil rights commission or a designee of

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the director who is a Hispanic or Latino employee of the civil rights commission.

(10) The director of the department of commerce or a designee of the director who is a Hispanic or Latino employee of the department of commerce.

(11) A Hispanic or Latino business person, appointed by the governor.

In making their appointments under this section, the president pro tempore of the senate and the speaker of the house of representatives shall attempt to have the greatest possible number of counties represented on the commission.

(b) If a legislative member of the commission ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the commission.

(c) A member of the commission may be removed at any time by the appointing authority who appointed the member.

(d) If a vacancy on the commission occurs, the appointing authority who appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy.

Sec. 5. (a) The commission shall meet on call of the chairperson and at other times that the commission determines.

(b) The chairperson may designate subcommittees to meet between commission meetings and report back to the full commission.

Sec. 6. (a) The commission's chairperson shall be appointed by the chairman of the legislative council.

(b) The commission's vice chairperson shall be appointed by the chairman of the legislative council upon recommendation of the vice chairman of the legislative council.

(c) A vacancy in the office of chairperson or vice chairperson shall be filled by a member of the commission appointed as set forth in subsections (a) and (b). The term of office of a person appointed under this subsection to fill a vacancy in the office of chairperson or vice chairperson expires at the first meeting of the commission the following year.

Sec. 7. (a) The department of workforce development shall provide staff and administrative support to the commission.

(b) The expenses of the commission shall be paid from appropriations made to the department of workforce development.

Sec. 8. The affirmative votes of a majority of the members appointed to the commission are required for the commission to take action on any measure, including final reports.



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1       **Sec. 9. (a) Each member of the commission who is not a state**  
 2       **employee is entitled to the minimum salary per diem provided by**  
 3       **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**  
 4       **for traveling expenses as provided under IC 4-13-1-4 and other**  
 5       **expenses actually incurred in connection with the member's duties**  
 6       **as provided in the state policies and procedures established by the**  
 7       **Indiana department of administration and approved by the budget**  
 8       **agency.**

9       **(b) Each member of the commission who is a state employee but**  
 10       **who is not a member of the general assembly is entitled to**  
 11       **reimbursement for traveling expenses as provided under**  
 12       **IC 4-13-1-4 and other expenses actually incurred in connection**  
 13       **with the member's duties as provided in the state policies and**  
 14       **procedures established by the Indiana department of**  
 15       **administration and approved by the budget agency.**

16       **(c) Each member of the commission who is a member of the**  
 17       **general assembly is entitled to receive the same per diem, mileage,**  
 18       **and travel allowances paid to legislative members of interim study**  
 19       **committees established by the legislative council. Per diem,**  
 20       **mileage, and travel allowances paid under this subsection shall be**  
 21       **paid from appropriations made to the legislative council or the**  
 22       **legislative services agency.**

23       **Sec. 10. (a) Funding for the commission shall be derived from**  
 24       **funds appropriated to the department of workforce development.**

25       **(b) If money is appropriated under subsection (a), the money**  
 26       **does not revert to the state general fund at the end of a state fiscal**  
 27       **year but remains available to the department of workforce**  
 28       **development until the purpose for which it was appropriated is**  
 29       **fulfilled.**

30       **Sec. 11. (a) The commission on Hispanic/Latino affairs special**  
 31       **fund is established to provide money for special projects of the**  
 32       **commission.**

33       **(b) The fund shall be administered by the treasurer of state.**

34       **(c) Expenses of administering the fund shall be paid from money**  
 35       **in the fund.**

36       **(d) The fund consists of gifts, contributions, and money donated**  
 37       **to the commission.**

38       **(e) The treasurer of state shall invest the money in the fund not**  
 39       **currently needed to meet the obligations of the fund in the same**  
 40       **manner as other public funds may be invested.**

41       **(f) Interest accrues to the fund.**

42       **(g) Money in the fund at the end of a state fiscal year does not**

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1     **revert to the state general fund.**  
2     **(h) Money in the fund is appropriated continuously for the**  
3     **purpose stated in subsection (a).**  
4     SECTION 2. IC 2-5-27 IS REPEALED [EFFECTIVE JULY 1,  
5     2003].

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Interstate and International Cooperation, to which was referred House Bill 1730, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

KROMKOWSKI, Chair

Committee Vote: yeas 12, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that Engrossed House Bill 1730 be returned to the second reading calendar for the purpose of amendment.

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1730 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

Page 2, line 15, delete "its" and insert "**the commission's**".

Page 2, line 18, delete "senate," and insert "**senate**".

Page 2, line 21, delete "representatives," and insert "**representatives**".

Page 2, line 38, delete "state".

Page 4, line 29, delete "In furtherance of its purposes and duties, the" and insert "**The commission on Hispanic/Latino affairs special fund is established to provide money for special projects of the commission.**

(b) **The fund shall be administered by the treasurer of state.**

(c) **Expenses of administering the fund shall be paid from money in the fund.**

(d) **The fund consists of gifts, contributions, and money donated to the commission.**

(e) **The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.**

(f) **Interest accrues to the fund.**

(g) **Money in the fund at the end of a state fiscal year does not revert to the state general fund.**

(h) **Money in the fund is appropriated continuously for the purpose stated in subsection (a)."**

Page 4, delete lines 30 through 34.

(Reference is to HB 1730 as printed January 29, 2003.)

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental Affairs and Interstate Cooperation, to which was referred House Bill No. 1730, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 25, delete "At the first meeting of the commission each year, the" and insert "**The commission's chairperson shall be appointed by the chairman of the legislative council.**

**(b) The commission's vice chairperson shall be appointed by the chairman of the legislative council upon recommendation of the vice chairman of the legislative council."**

Page 3, delete lines 26 through 28.

Page 3, line 29, delete "(b)" and insert "**(c)**".

Page 3, line 30, delete "selected by vote of" and insert "**appointed as set forth in subsections (a) and (b).**".

Page 3, line 31, delete "the remaining members."

Page 3, line 31, delete "chosen" and insert "**appointed**".

and when so amended that said bill do pass.

(Reference is to HB 1730 as reprinted February 7, 2003.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 7, Nays 0.

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